

Notice of Allowability

Application No.

10/517,635

Applicant(s)

HUTTUNEN, MARTTI

Examiner

William E. Dondero

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 27 June 2006.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>08/31/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jonathan H. Backenstose on August 25, 2006.

The application has been amended as follows:

In The Claims:

- In Claim 1, Line 10, the phrase, - -at least one moving- -, has been inserted between "the" and "cutting".
- In Claim 1, Line 11, the phrase, - -at least one moving- -, has been inserted between "said" and "cutting".
- In Claim 1, Line 12, the phrase "means is" has been replaced with - -blades are- -.
- In Claim 2, Line 2, "means" has been replaced by - -blades- -.
- In Claim 3, Line 2, the phrase - -at least one moving- - has been inserted between "the" and "cutting".
- In Claim 4, Line 2, the "and/" has been deleted.
- In Claim 5, Line 2, the phrase - -at least one moving- - has been inserted between "the" and "cutting".

The following is an examiner's statement of reasons for allowance: the combination of Cheshko (US-2810436) and Mathey (US-4254679) would not be

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obvious to one of ordinary skill in the art at the time of the invention because the guide 14 of Mathey would prevent the tension actuation of Cheshko and further Mathey has a solenoid for actuating the cutting mechanism. Furthermore, the combination of RU-2051080 and SU-1412940 does not teach or render obvious the combination of Claim 1 including a cutting blade leaning against a counter surface which urges the cutting blade in the cutting direction. Therefore the prior art of record when taken as a whole would not teach or render obvious to combination of Claim 1 including the at least one moving cutting blade moving in the cutting direction leaning against a counter surface which urges said at least one moving cutting blade to pivot around the pivot point as the cutting blades are moved by the tension of the thread to be cut in a direction which lies in an angle with the counter surface.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mathey (US-4254679) is cited for disclosing a cutting mechanism in which the cutting blades are moved against a counter surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Dondero whose telephone number is 571-

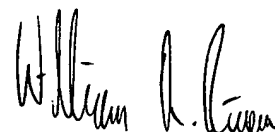
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272-5590. The examiner can normally be reached on Monday through Friday 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wed



WILLIAM A. RIVERA
PRIMARY EXAMINER